

ORIGINAL

FILED IN CHAMBERS  
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

DEC 06 2023

Kevin P. Weimer, Clerk  
By [Signature] Deputy Clerk

UNITED STATES OF AMERICA

v.

MAGDIEL GARCIA MORALES, and  
HECTOR ODILON FLORES

Criminal Indictment

No. **1:23-CR-0396**

THE GRAND JURY CHARGES THAT:

**Count One**

Beginning on a date unknown to the Grand Jury, but at least as of on or about November 4, 2021, and continuing until on or about September 1, 2023, in the Northern District of Georgia and elsewhere, the defendant,

MAGDIEL GARCIA MORALES,

did knowingly and willfully combine, conspire, confederate, agree and have a tacit understanding with others known and unknown to the Grand Jury, to violate Title 21, United States Code, Section 841(a)(1), that is to knowingly and intentionally possess with intent to distribute a controlled substance, said conspiracy involving at least 5 grams of methamphetamine, a Schedule II controlled substance, pursuant to Title 21, United States Code, Section 841(b)(1)(B), all in violation of Title 21, United States Code, Section 846.

**Count Two**

Beginning on a date unknown to the Grand Jury, but at least as of in or around August 2023, and continuing until on or about September 1, 2023, in the Northern District of Georgia and elsewhere, the defendants,

MAGDIEL GARCIA MORALES, and  
HECTOR ODILON FLORES,

did knowingly and willfully combine, conspire, confederate, agree and have a tacit understanding with each other and others known and unknown to the Grand Jury, to violate Title 21, United States Code, Section 841(a)(1), that is to knowingly and intentionally possess with intent to distribute a controlled substance, said conspiracy involving at least 40 grams of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N- [1-(2-phenylethyl)-4-piperidinyl] propanamide), a Schedule II controlled substance, pursuant to Title 21, United States Code, Section 841(b)(1)(B), all in violation of Title 21, United States Code, Section 846.

**Count Three**

Between on or about November 4, 2021, and on or about November 16, 2021, in the Northern District of Georgia and elsewhere, the defendant,

MAGDIEL GARCIA MORALES,

aided and abetted by others known and unknown to the Grand Jury, did knowingly and intentionally possess with intent to distribute a controlled substance, said act involving at least 5 grams of methamphetamine, a Schedule II controlled substance, pursuant to Title 21, United States Code, Section 841(b)(1)(B), all in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

### **Count Four**

Between in or around August 2023, and on or about September 1, 2023, in the Northern District of Georgia and elsewhere, the defendants,

MAGDIEL GARCIA MORALES, and  
HECTOR ODILON FLORES,

aided and abetted by each other and others known and unknown to the Grand Jury, did knowingly and intentionally possess with intent to distribute a controlled substance, said act involving at least 40 grams of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N- [1-(2-phenylethyl )-4-piperidinyl] propanamide), pursuant to Title 21, United States Code, Section 841(b)(1)(B), all in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

### **Forfeiture Provision**

Upon conviction of one or more of the offenses alleged in Counts One through Four of this Indictment, defendants MAGDIEL GARCIA MORALES and HECTOR ODILON FLORES, shall forfeit to the United States of America, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of said violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said violations, including but not limited to, the following:

(a) MONEY JUDGMENT: A sum of money in United States currency representing the amount of proceeds obtained as a result of each offense, or conspiracy to commit such offense, alleged in Counts One through Four of this Indictment.

If any property described above, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

the United States intends, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

A True BILL  
FOREPERSON

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